

ARKANSAS DEPARTMENT OF HUMAN SVCS - DIVISION OF AGING AND ADULT SVCS	
SECTION OF MANUAL:	SUBJECT OF PROCEDURE: ELDERCARE
PROCEDURE NUMBER: 216.00	CORRESPONDING POLICY: 216.00
ORIGINATING UNIT: CBC	EFFECTIVE DATE:

SCOPE:

These procedures apply to all contracted eldercare services administered or provided by AAAs and local providers receiving Title III funds.

DEFINITIONS:

- I. Eldercare: a service provided to an organization on behalf of its older employees or employees who have caregiver responsibilities for elderly relatives. This service most often includes information and referral, but may include case management or other programs.
- II. Exclusive contract: refers to any agreement or contract between a business or its intermediary and an Area Agency on Aging which restrains an Area Agency on Aging from providing eldercare services to any other business or intermediary.
- III. Business: refers to any company, corporation or organization whose primary purpose is to produce a product or provide a service for a profit.
- IV. Intermediary: any representative or an agent which provides third party payment reimbursement for benefits provided to employees of a business.

PROCEDURAL REQUIREMENTS:

- I. Responsibilities of the Division of Aging and Adult Services
 - A. The Division of Aging and Adult Services is responsible for oversight of Area Agency on Aging eldercare activities to ensure that such activities do not conflict with the primary mission of Area Agencies on Aging. This responsibility includes:
 1. Establish guidelines and procedures for eldercare activities.

2. Review and approve eldercare portion of the Area Plan.
3. Compliance review by use of the attached assessment form in Attachment A.
4. In cases of non-compliance, identify and prescribe corrective action.

II. Responsibilities of An Area Agency on Aging

A. Each Area Agency on Aging shall:

1. Assure that the Area Agency or other service providers under an Area Plan will not enter an eldercare contract which would preclude any other business firm from obtaining the same type of eldercare, or similar, services from the Area Agency or service provider under the Area Plan. This assurance must be signed by the Area Agency on Aging's board and submitted in the Area Plan.
2. Specify whether the Area Agency intends to provide the eldercare service(s) directly or whether a service provider under the Area Plan intends to provide the eldercare service(s).
3. Specify precisely what eldercare service(s) is to be provided.
4. Assure that both expenses and costs incurred, and revenues received, under an eldercare contract are accounted for separately from Older Americans Act funds and other public funds. The Area Agency or service provider must demonstrate to DAAS that its cost accounting system meets this requirement.
5. Assure that the contract between the service provider and the business or intermediary pay all costs associated with the services being provided under the contract. This should include start-up costs, administrative costs, overhead costs or any other costs connected to these service(s).
6. Assure that State Funds, Older Americans Act funds and/or any related matching funds will not be used under any circumstances to offset the cost of services provided under the eldercare contract.
7. Assure that the Area Agency on Aging or service provider will disclose to DAAS all provisions and terms of each eldercare contract. These contracts may not require withholding of information, or require conduct, inconsistent with the public

interest. DAAS will have the authority to determine which provisions of the contract are to be made public and which may be kept confidential

8. Assure that eldercare contracts will not conflict with, or prevent the Area Agency from performing its mission under the Older Americans Act and the Title III regulations.
 - i. Staff may not be used to provide services under such a contract if their use will diminish services to target populations.
 - ii. Persons who receive eldercare services, through a corporate contract, may not be placed at the top of a waiting list ahead of target population members.
9. Assure that DAAS will be given the opportunity to monitor and to assess the Area Agency's compliance with all of the provisions of DAAS's eldercare policy, and shall submit such reports as may be deemed necessary by DAAS.
10. Funds received from eldercare contracts, in excess of those used to deliver contracted services shall be allocated to further extend services for older persons within the target population of the Area Agency on Aging.